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THE

INTERIM

A REPORT OF INTERIM ACTIVITY . . . MONTANA LEGISLATIVE COUNCIL . . . HELENA

SEPTEMBER 1984

VOL. IV, NO. 16

TENTATIVE CAUCUS DATES SET

MARK NOV. 16
AND 17 ON
YOUR CALENDAR

The Legislative Deans have agreed on November 17 as the date of the Presession Caucus, which is held to elect officers, appoint committees, and hire employees. The Caucus will be at the Colonial Inn.

If an orientation is held in conjunction with the caucuses it will be November 16, so reserve these dates.

An official Caucus call will be issued by each of the four deans about November 9.

LEGISLATIVE COUNCIL

AUGUST 17
MEETING HELD;
NEXT MEETING
SEPTEMBER 27

The Legislative Council met August 17 to approve the 1986-87 budget proposal. The next meeting is set for September 27.

Items of interest to legislators:

The Council proposes to fund 10 NCSL committees and 8 CSG committees with sufficient funds to enable one member per committee to attend the annual meeting and two additional committee meetings each year.

The Council proposes to purchase software to enable type composition for legislative publications to be done in-house rather than out-of-state. In addition to monetary savings, the time savings could be measured in months.

The Council approved a tentative proposal to contract with MSU TV Center to produce a videotape of the legislative process. Members were told there is no such film available and if well done it would be in big demand by schools, service clubs, and others.

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JOINT INTERIM SUBCOMMITTEE NO. 2

WRAP-UP
SESSION
SCHEDULED FOR
SEPTEMBER 28

The Subcommittee will meet Friday, September 28, at 9 a.m. in the old Supreme Court Chambers in the Capitol.

The first item on the agenda is the review of the draft of a bill requested at the July 30 meeting to raise the minimum annual charge for forest fire protection to \$30 from \$6 per landowner in each fire protection district while maintaining a 2:1 ratio of state general fund appropriations to private assessments for that purpose. This will complete the Subcommittee's work under HJR 40.

The Subcommittee will continue its work under HJR 36 on the study of recreational use of state waters. Agenda items will include:

- Review of bills drafted by staff as requested at the July 30 meeting,
- Consideration of other possible legislation, and
- Instructions to staff regarding bill drafts and a final report.

If the Subcommittee requests that additional bills be drafted or if it changes substantially the drafts of the bills already requested, a follow-up meeting may be necessary.

Subcommittee members and people on the interested persons' list have received copies of the bills requested at the July 30 meeting. Contents of those bills were described in the August Interim. Copies are available on request from the Legislative Council.

JOINT INTERIM SUBCOMMITTEE NO. 3

SEPTEMBER 6
AND 7 MEETING
WILL CONSIDER
FOUR TOPICS

The next meeting is set for Thursday and Friday, September 6 and 7, at 8:30 a.m. in Room 104 of the Capitol.

The Subcommittee will devote Thursday morning to a public hearing and discussion on Montana's unisex insurance law, as required by HJR 29.

The Thursday afternoon agenda includes the review, approval, and/or revision of draft legislation on various state investment topics (HJR 4).

On Friday morning the Subcommittee will review draft legislation for the court unification study (SJR 24). Friday afternoon will be devoted to the public pension study (HJR 44).

JOINT INTERIM SUBCOMMITTEE NO. 4

TEACHERS' TENURE LAWS ON AGENDA

On Friday, September 28, at 9 a.m. in Room 104 of the Capitol, the Subcommittee will review the following draft legislation:

- (1) to provide for only one board hearing on intent to terminate a tenure teacher, thus eliminating the "reconsideration" hearing;
- (2) to allow the school district and the collective bargaining unit to agree to waive the statutory tenure provisions in favor of collective bargaining on tenure issues; and
- (3) to repeal the tenure laws in favor of an alternative due process system.

FIVE-STATE COMMITTEE ON INTERSTATE MOVEMENT OF LIVESTOCK

GLENDIVE MEETING SEPTEMBER 10

A committee was established last year at the Five-State Conference to study issues that have restricted the movement of livestock among the five states. Representative Dean Switzer was named chairman of the group. Representative Switzer and state veterinarian, Dr. Don Ferlicka, have developed a full day's agenda for a meeting to be held in Glendive September 10 at 9 a.m. at the Holiday Lodge. Included will be discussions of scabies and scabicides, Bangs vaccination identification for interstate movement, hot iron brands and animal health, tuberculosis, test and vaccination requirements for brucellosis, movement of rodeo stock relative to UM & R, trichomoniasis overview, and dissemination and exchange of animal health information among the states. Interested persons are welcome to attend.

SELECT COMMITTEE ON INDIAN AFFAIRS

FINAL MEETING SEPTEMBER 20

The Montana Select Committee on Indian Affairs will hold its last meeting of the 1983-84 legislative interim on Thursday, September 20. The meeting begins at 9 a.m. in Room 104 of the State Capitol in Helena.

At this final meeting, the Committee will conclude its studies on involuntary civil commitment of tribal members for mental health treatment, reserved water rights negotiations, and cooperative agreements. Members will review draft legislation concerning the Reserved Water Rights Compact Commission and the State-Tribal Cooperative Agreements Act and select bills for introduction during the 1985 session.

MONTANA SALARY COMMISSION

TWO CHANGES IN ROSTER OF SALARY COMMISSION

When the Montana Salary Commission meets for the first time in this interim it will have only seven members. Carra George of Laurel, appointed to the Commission last year by Senate Minority Leader Chet Blaylock, resigned because she felt she could not afford time from her teaching job to attend the meetings. A successor has not been named.

A new member is Dave Byerly, Manager of News-Argus in Lewistown, who was appointed by House Minority Leader Robert L. Marks to succeed Robert T. Stevens, Jr., of Bozeman.

The Salary Commission will meet at 1 p.m., Friday, September 14, in Room 436 of the Capitol.

COAL TAX OVERSIGHT SUBCOMMITTEE

RESEARCH NEED HEARD; OCTOBER 8 MEETING SET

Much of the August 10 meeting was devoted to discussions of the need for and the potential of research into development of coal products, and marketing and promotion of Montana coal. Representatives of the Coal Council and the governor's office made presentations along with Dr. Edward Bingler, director of the Montana Bureau of Mines and Geology, and Vic DeJong of Mountain States Energy, contractor on the MHD project in Butte.

Dennis Sandberg of Tenneco Coal Company informed the subcommittee of Tenneco's decision to close the Glendive office because of the indefinite postponement of the Beach-Wibaux coal gasification project. He recommended that Montana make a number of changes in the Major Facility Siting Act to reduce the burden upon companies locating new plants.

Approved was a bill to allow use of coal tax money for acquisition, development, operation, and maintenance of all units in the state parks system for four years.

Drafting was requested of bills to broaden uses of county land planning funds and to allow a \$2 per ton reduction in the contract sales price of coal, for severance tax purposes, for costs of crushing, hauling, load-out, and reclamation.

The next meeting was scheduled for Monday, October 8, in Billings, when the North Dakota Tenneco Impact Committee will be invited to present its proposed interstate compact for mitigation of local impacts caused by the Beach-Wibaux Project.

REVENUE OVERSIGHT COMMITTEE

TRANSPORTA- TION TAXATION IS TOP SUBJECT

The Revenue Oversight Committee met August 24 and 25 at the Capitol in Helena. Among the items discussed were railroad and other transportation property taxation, the tax effects of the Bell divestiture, a proposed Natural Resource Legacy Program, and draft bills addressing liquor licensing, tax exemption for church-owned passenger vehicles, and timber taxation.

Several residents from the Glendive area appeared before the Committee to request the Committee's support in encouraging Burlington Northern to remain in Glendive and to reconstruct a diesel locomotive repair facility there. The Committee responded with a resolution of support and draft bill that would allow the local governing body to grant tax benefits for reconstruction or expansion of the type envisioned.

FINANCIAL STATUS OF STATE HEARD

Dave Lewis, Director of the Office of Budget and Program Planning, and Judith Curtis, Senior Analyst with the Legislative Fiscal Analyst, each reported to the Committee on the state's financial condition. Mr. Lewis said that Montana's finances are in good shape as evidenced by the state's credit ratings in the nation's financial markets. Ms. Curtis said that state expenditures have exceeded state revenues for the past few years, a situation that should be addressed.

The Department of Revenue reported to the Committee on litigation matters, the progress of reappraisal, and special fuels users. The Department

also proposed a number of draft bills to the Committee in the general areas of fuels taxes and income taxes. Committee members are reviewing the bills before the next meeting.

NEXT MEETING The next meeting will be September 21 and 22 in
SEPT. 21 & 22 Room 104 of the State Capitol. An update on the
railroad taxation issue will be one item on the
agenda, as will revised draft bills on liquor
licensing.

LEGISLATIVE AUDIT COMMITTEE

NEXT MEETING The Legislative Audit Committee will meet September 10 in Room 104 of the Capitol.

The Committee will receive and review various financial/compliance and performance audit reports including:

Fire Marshal Bureau, Department of Justice (Performance); Systems Development Bureau (Performance); Statement of Federal Land Payments (Financial/Compliance); U.S. Corps of Engineers and Department of Fish, Wildlife, and Parks, Contract DACW67-79-C-0077 (Financial/Compliance); Guaranteed Student Loan Program (Financial/Compliance).

The Committee will also receive and review the financial audit report of the Board of Housing.

REPORTS Copies of all reports are available from the
AVAILABLE Office of the Legislative Auditor, Room 135, State
Capitol, telephone 444-3122, after being presented
to the Legislative Audit Committee and released to
the public.

SELECT COMMITTEE ON WATER MARKETING

HEARINGS SET The Select Committee on Water Marketing will hold
IN SIDNEY, public hearings during September at the following
GREAT FALLS, times and locations:
BOZEMAN

Thursday, September 20, 7 p.m.	Sidney Moose Lodge Sidney
Monday, September 24 7 p.m.	Civic Center Commission Chambers Great Falls

Wednesday, September 26
7 p.m.

City Library
Bozeman

Written comments from those unable to attend the hearings are requested by September 28, 1984. Comments should be sent to the Committee, c/o Montana Environmental Quality Council.

WATER POLICY
OPTIONS
STUDIED

In the course of its interim study, the Select Committee on Water Marketing has studied a range of options concerning Montana's water policy and law. The range of choices extends from limited legislative modification of existing law to the development of an integral and comprehensive statement of Montana water policy. Before completing its final recommendations to the Legislature, the committee is seeking public response to a series of questions regarding water export, coal slurry, water markets, and how to best protect Montana's fair share of water in the region.

ENVIRONMENTAL QUALITY COUNCIL

FULL AGENDA
FOR SESSIONS
ON SEPT. 6
AND 7

The Environmental Quality Council and its subcommittees will meet Thursday and Friday, September 6 and 7.

The full EQC will meet September 7 in Room 108 of the Capitol at 1 p.m. Included on the agenda will be a discussion of the problems caused by leaking underground fuel tanks, an update of the hazardous waste disposal site issue, and a presentation of the final report of the Natural Resources Information System Advisory Council. Continuing its review of the responsibilities and programs of the major environmental regulatory agencies, the Council will next discuss those of the Department of Health and Environmental Sciences. EQC members will receive a report on the Renewable Energy and Conservation Program and discuss possible recommendations for the 1985 Legislature.

Under EQC administrative matters, the Council will review the proposed budget for the 1986-87 biennium, discuss the outline for a comprehensive EQC report on water issues, and receive a report on the NCSL annual meeting.

EQC subcommittees will meet Thursday, September 6. The Natural Resources Oversight Subcommittee will meet at 9 a.m. in Room 108 to discuss the Major

Facility Siting Act rules, Resource Indemnity Trust Tax allocation, and receive an update on comparative hard-rock mineral taxation from Robert Davidoff of the U.S. Bureau of Mines in Denver.

The Subcommittee on Toxic Substances will meet Friday, September 7, at 8 a.m. in Room 108 to discuss the proposals developed by the Intra-agency Weed Subcommittee. The subcommittee will also consider possible worker and community "right-to-know" of toxic substances legislation.

The Water Oversight Subcommittee will meet Friday, September 7, at 11 a.m. in Room 108 to consider funding for water quality regulation and enforcement and the status of water-related interim projects.

RP1EE/ee/Sept. Interim

*all meetings are subject to change

LEGISLATIVE INTERIM CALENDAR

SUNDAY	MONDAY	TUESDAY	SEPTEMBER	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
							1
2	3 LABOR DAY	4	5	6 Subcomm. #3	7 Room 104		8
9	10	11	12	13	14 Salary Comm. Rm. 436 - 1pm		15
16	17 LEGACY LEGISLATURE Western Legislative Conference Scottsdale, Arizona	18	19	20 Select Comm. on Indian Affairs Rm. 104	21 Revenue Oversight Comm. Rm. 104 8am-5pm		22 Revenue Oversight Comm. 8am-5pm
23	24 Coal Tax Oversight Comm. Billings	25	26	27 Legislative Council Rm. 139-10am	28 Subcomm. #2 Old Sup. Crt. Subcomm. #4 Rm. 104		29
30							

*all meetings are subject to change

LEGISLATIVE INTERIM CALENDAR

OCTOBER

SATURDAY

FRIDAY

THURSDAY

WEDNESDAY

TUESDAY

MONDAY

SUNDAY

	1	2	3	4	5	6
7	8 Coal Tax Over- sight Comm. Billings	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

300 copies of this public document were published at an estimated cost of \$.30 per copy, for a total cost of \$91.37, which included \$61.37 for printing and \$30.00 for distribution.

